

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

APOTEX, INC.,

Plaintiff,

v.

CEPHALON, INC., et al.,

Defendants.

Case No. 06-cv-02768-MSG

**DEFENDANT CEPHALON, INC.’S MOTION *IN LIMINE* TO PRECLUDE
APOTEX, INC. FROM OFFERING EVIDENCE OR ARGUMENT
RELATING TO ALLEGED PRIOR ART “REFERENCES” NOT
TIMELY DISCLOSED IN ITS INVALIDITY CONTENTIONS**

Defendant Cephalon, Inc. respectfully submits this Motion *In Limine* To Preclude Apotex, Inc. From Offering Evidence Or Argument Relating To Alleged Prior Art “References” Not Timely Disclosed In Its Invalidity Contentions. The grounds for this motion are set forth in the accompanying memorandum of law, which is incorporated herein.

Dated: March 7, 2011

Respectfully submitted,

/s/ Robert J. Gunther, Jr.

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